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Michigan

Resource Management Plan

Milwaukee District Office
Bureau of Land Management
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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
MILWAUKEE DISTRICT OFFICE
P.O. BOX 631
MILWAUKEE, WISCONSIN 53201-0631

The Bureau of Land Management

The Bureau of Land Management, an agency of the U.S. Department of the Interior, administers America's public domain lands and its Federal mineral resources.

Well-known in the Western United States where it manages vast rangelands and extensive mineral resources, the Bureau has fewer holdings in the East. The Bureau is the successor to the General Land Office, which disposed of most of the public domain during the nineteenth century through statehood grants, homestead claims, sales and a variety of special Acts of Congress. Now, most of the public domain tracts which remain in the Eastern half of the country are primarily small islands in Michigan, Minnesota and Wisconsin. A very few small tracts are widely scattered in several other Eastern states.

The primary mission of the Bureau in the East remains minerals management. The Bureau issues exploration permits, leases and drilling permits, and oversees operations, for all Federally-owned mineral estate regardless of surface ownership. Most of the Eastern Federal minerals are under the National Forests, managed by the Forest Service, U.S. Department of Agriculture. Some Federal mineral holdings underlie surface owned by state or local governments or private individuals. Policy and procedures require environmental analysis and surface owner consultation prior to all permitting activities.

Another active Bureau program is the wild horse and burro adoption program. Excess wild horses and burros from the Western rangelands are available for adoption by the public at nominal fees. Adoptions are conducted periodically at centers throughout the Eastern States.

To adopt a wild horse or burro, or for further information on other Bureau of Land Management activites in the East, write to the Milwaukee District Manager at the above address.

The Milwaukee District Office is responsible for management of public domain land and Federal minerals in the following 20 states: Connecticut, Delaware, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Wisconsin and West Virginia.

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MICHIGAN

Resource Management Plan

(Planning Analysis - Category I)

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U.S. Bureau of Land Management

Milwaukee District Office

June 1985

IN REPLY REFER TO:

United States Department of the Interior

1616.8 MI

BUREAU OF LAND MANAGEMENT
MILWAUKEE DISTRICT OFFICE
P.O. BOX 631
MILWAUKEE, WISCONSIN 53201-0631

RECORD OF DECISION: MICHIGAN PLAN
ES-84-001

The "preferred alternative" (Section III. B. of the Michigan Proposed Plan and Environmental Assessment) is hereby approved as the management plan for Bureau of Land Management-administered resources in the State of Michigan.

This decision is based on the analysis published in the proposed plan, February 1985, and in the subsequent comments received from the public and other governmental units.

The approved plan provides for transfer from Federal ownership of all remaining public domain surface in Michigan, and active management of the Federal mineral estate based on production potential.

In addition to this preferred alternative, the environmental assessment for this action also evaluated a "no action" alternative, which would have provided for continued custodial management.

Neither the preferred nor the "no action" alternative were found to have any significant environmental effects. Surface disposal provisions of the preferred alternative were found to be environmentally preferable since they would result in identification of surface values, and would attempt to place these values under appropriate management. The mineral development provisions would provide better management control over the pace of development and mitigation of impacts than would be possible under the "no action" alternative.

Public comments on the proposed plan were favorable. A number of private individuals expressed interest in purchasing Federal lands. Comments received from Federal agencies, regional planning councils, county governments, and environmental groups supported selection of the preferred alternative.

The Governor of Michigan did not indicate any inconsistencies between this plan and the policies, programs or plans of the State of Michigan, although the State is pursuing a claim of ownership to the islands. The State expressed an interest in quick and efficient implementation of the plan.

Management of BLM-administered lands and mineral resources in the State of Michigan will be in conformance with the decisions contained in this plan.

Recommended by _____ Date 5/14/85
Charles E. Steele
District Manager, Milwaukee

Approved by _____ Date 6/5/85
G. Curtis Jones, Jr.
State Director, Eastern States Office

MICHIGAN

RESOURCE MANAGEMENT PLAN

I. PURPOSE AND SCOPE OF THE PLAN

This document contains resource management decisions for Bureau of Land Management (BLM) administered lands and minerals resources in the State of Michigan. This planning effort is the culmination of an effort begun in 1982 and then known as the Michigan Multiple-Use Plan.

The primary reason for preparing the Michigan Plan was to initiate an active management posture with regard to public domain lands and Federal minerals. Public domain lands are those which have never left Federal ownership.

The known public domain tracts consist of 740 islands and 25 upland tracts, totaling approximately 3,200 acres, scattered through 65 Michigan counties. These tracts were left in Federal ownership after the other, more desirable, lands were placed in State or private ownership during settlement. The tracts include both surface and mineral estate ownership. The public domain tracts include both surface and mineral estate ownership. The State of Michigan is pursuing a claim of ownership to the islands as Great Lakes bottom lands, emergent lands, alluvial deposits and riparian ownership.

The Federal mineral ownership addressed in this plan consists of numerous scattered tracts of Federal mineral estate under surface owned by the State, local governments, and private persons. This "split-estate" Federal mineral ownership totals approximately 136,000 acres. The public domain mineral estate (above) is also considered in the mineral portions of this Plan. Thus, the total Federal mineral ownership under consideration is approximately 139,200 acres.

It is important to recognize that the Michigan Plan is not a land use plan for private, State, or other (non-BLM) Federal agency resources. In Michigan, the majority of BLM administered mineral ownership is "split-estate", as mentioned above. BLM administers part or all of the mineral estate, but has no jurisdiction over the surface estate. Since BLM does not manage the surface over these Federal minerals, the Michigan Plan does not contain decisions pertaining to use of "split-estate" surface. In addition to Federal mineral ownership acreage addressed in this document, BLM also has minerals management responsibility on approximately 1.2 million acres of other Federal agency administered surface (e.g., Forest Service, Park Service, Fish and Wildlife Service, Corp of Engineers) in the State.

The surface managing agencies retain full authority to manage their programs and surface resources, even though BLM administers the underlying mineral estate.

II. PLANNING ISSUES AND DECISIONS

The two planning issues addressed in this plan are lands disposal and minerals development. The bases for resolution of these issues were addressed in the Michigan Preplan and other planning documents which are available for public inspection at the Milwaukee District Office.

The Michigan Plan was prepared in accordance with the Federal Land Policy and Management Act of 1976, Bureau planning regulations at 43 CFR 1601 et seq., Bureau Manual Sections 1601-1632 and State Director Guidance for Planning in the Eastern States Office. Existing information, developed chiefly during the management situation analysis for this planning effort, was used as much as possible.

A. Lands Disposal

1. Plan Decision

All BLM surface tracts are categorized for disposal and will be evaluated on a tract-by-tract basis against the criteria in Appendix A. Appendix A describes surface disposal options and criteria. Where possible, the preferred method of disposal will be by transfer to another public agency or non-profit entity. Where subsequent site-specific analysis reveals no interest by another public or non-profit body, BLM tracts may be offered through sale or exchange to private ownership. Tracts will be retained under BLM administration only where sensitive or unique resource values merit continued public management and no other public or non-profit body is available or willing to assume jurisdiction. Management of retained tracts will be custodial. Preference for sale or transfer may be readjusted based on policy changes, as well as on site-specific analysis. If additional BLM surface tracts are revealed in the future, they will also be evaluated and categorized for disposal.

2. Implementation

The following actions will be necessary to implement this alternative:

a. Subsequent to plan approval, each tract (or related groups of tracts) will be scheduled for an on-site inspection and evaluation of renewable resource values and uses, resolution of occupancy or title conflict situations if any, and potential for transfer or sale. Sale terms and deed restrictions, if necessary, will reference applicable local or State land use requirements.

b. Any unauthorized use (occupancy), Color-of-Title or title conflict situation will have to be resolved prior to any other implementing action.

c. A land report will be prepared for each tract to present findings and recommend a preferred transfer option. The various transfer options available include:

(1) Recreation and Public Purposes Act lease or sale;

(2) Withdrawal on behalf of another Federal agency;

(3) Exchange between another Federal agency and a third party (private, State or local government);

(4) Color-of-Title patent for claimants who satisfy the requirements of the Color-of-Title Acts; and

(5) Sale.

d. A site-specific environmental analysis will be prepared for each tract (or related groups of tracts) to evaluate the potential effects of the preferred transfer option and reasonable alternatives. Copies of the environmental analyses will be made available to interested parties on a request basis.

e. Prior to any final transfer, a Notice of Realty Action (NORA) will be published in the Federal Register and general circulation newspapers to provide 45 days public notice and opportunity to comment on the action.

B. Minerals Development

1. Plan Decision

The minerals management areas and objectives in Appendix B are adopted to guide minerals management in Michigan. Boundaries of the management areas (Map A) may be adjusted based on new resource data. If additional Federal mineral ownership is revealed in the future, it will also be managed within these guidelines. All exploration and development proposals will be evaluated on a site-specific basis.

All Federal mineral ownership is available for exploration and development except where legal restrictions, intergovernmental consistency requirements, administrative or Congressional designations, or surface resource sensitivity prohibit such activities.

2. Implementation

The following actions will be necessary to implement this alternative:

a. Subsequent to plan approval, action planning will be pursued on a commodity-specific basis to develop specific management guidelines within each management class. Action planning will prioritize and schedule lease sales where appropriate.

b. The comprehensive inventory of Federal mineral ownership status, currently underway in coordination with State and other Federal agencies, will continue to determine exact locations and descriptions of mineral ownership and its availability for development.

c. Mineral leasing and development authorizations will in every case be preceded by environmental analysis, consultation with the surface owner or manager, and joint on-site inspections if appropriate, to evaluate the effects of the proposed action and any reasonable alternatives. Environmental analyses will be done at the leasing and pre-drilling stages for oil and gas development.

d. Stipulations or conditions of approval will be attached to authorizations as appropriate to ensure resource conservation, to protect threatened or endangered species or cultural resource values, and to otherwise comply with applicable laws and regulations.

e. Periodic monitoring and inspections will be conducted to ensure compliance with the terms of authorizations and to mitigate any unforeseen consequences of development.

APPENDIX A

Surface Disposal Options and Criteria

The Bureau of Land Management (BLM) has been concerned with the need for land adjustment for many years. The public land pattern in Michigan is fragmented, with approximately 3,200 acres existing in a scattered pattern of relatively small tracts consisting mostly of river or lake islands.

BLM is authorized to enter into land adjustments through the Federal Land Policy and Management Act of 1976 and other public land laws. The principle also applies to adjustments in the mineral estate of lands, particularly where there is a split-estate situation with Federal mineral estate and privately owned surface, or vice versa.

Major types of land adjustment concerning BLM in the planning area are:

1. Recreation and Public Purposes Transfers,
2. Public Sales,
3. Withdrawals,
4. Complex Multi-Party Exchanges, and
5. Color-of-Title Act Patents.

In implementing this plan in Michigan, BLM will be especially concerned with management of public values and resources. This involves more than simply disposing of isolated parcels. The Bureau's adjustment disposal decisions will be made after site-specific analysis and study of land use potential.

Realty actions are designed to meet FLPMA and National Environmental Policy Act requirements, and to implement BLM planning decisions effectively. The overall goal of the program is to improve public land management through a variety of methods, including sale, exchange, or other methods of transfer.

I. Disposal and Retention Criteria

The criteria is designed to provide the manager flexibility in responding to circumstances which dictate the final disposition of each tract. Although this plan calls for disposal of all tracts in Michigan, each tract will be evaluated against the following criteria to confirm that disposal is appropriate and to determine the method of disposal.

A. Disposal

Lands with the following characteristics will be sold, exchanged or transferred in the public interest:

1. Lands of limited or no public value.

2. Widely scattered parcels which are difficult or uneconomical for BLM to manage with anything beyond minimal custodial administration.

3. Lands with high public values proper for management by other Federal agencies, or State or local government.

4. Lands which will serve important public objectives (such as community expansion) as provided in FLPMA Sec. 203(a)(3).

5. Lands which are not required for specific public purposes.

6. Lands where disposal would increase the range of economic opportunities provided to the general public.

7. Lands in which the highest value or most appropriate long-term use is agriculture, or commercial or industrial development.

8. Lands without legal public access.

B. Retention

Lands with the following characteristics will remain in Federal ownership and be managed by BLM:

1. Areas where disposal of the surface would unnecessarily interfere with the logical development of the mineral estate, e.g., surface minerals, coal, phosphate, known geologic structures, etc.

2. Public lands withdrawn by BLM or other Federal agency for which the purpose of the withdrawal remains valid.

APPENDIX B

Minerals Management Areas and Objectives

The entire State has been classified into Management Areas I, II, III representing high, moderate, or low potential for mineral production, respectively. The enclosed Map A illustrates the general location of these areas.

The classifications presented here are not of sufficient detail for use as actual mineral potential evaluations. If mineral related activities or disposal actions are proposed for a tract of Federal land, detailed studies, which may involve exploratory operations, must be undertaken to assess the area-specific value of any minerals present. Furthermore, public domain hard-rock minerals in the State of Michigan are not currently available for lease or location under existing law. Unless Congress enacts legislation providing for the leasing or disposal of these minerals, they will remain unavailable for development. Congressional action may be initiated in the future as a result of an increase in industry interest in these minerals.

The following are the definitions and objectives for each of the three classes of management areas:

I. Class I Management Area (High Resource Potential)

A. Definition

Those areas for which Known Geologic Structure (KGS) designations have been made for oil and gas resources. There are no areas identified as "high potential" for solid mineral resources.

B. Objectives

1. Retain Federal mineral ownership.

2. All Federal mineral ownership will be available for mineral development contingent upon protection of surface values through standard environmental restrictions and procedural reviews.

3. Determine Federal mineral ownership and its status (leased or non-leased) within high potential areas. Actively pursue any title problems to resolution.

4. Offer non-leased Federal mineral ownership for lease through competitive oil and gas sales.

5. Coordinate with other Federal agencies, State agencies, or other entities on tracts with split or partial mineral interest or where leasing concurrence is required prior to competitive leasing.

II. Class II Management Areas (Moderate Resource Potential)

A. Definition

Those areas which are not within a Known Geologic Structure (KGS), but are on a geologic feature within a geologic basin which is known to have productive fields or which has potential hydrocarbon production at some depth. Areas which are known or suspected to contain valuable solid minerals, even though these minerals may not be available for lease under current law.

B. Objectives

1. Retain Federal mineral ownership.

2. Determine Federal mineral ownership and its status (leased, non-leased or permitted).

3. Resolve mineral title conflicts in response to mineral leasing and permitting applications.

4. Federal oil and gas will be available for non-competitive leasing contingent upon standard environmental restrictions and procedural reviews.

5. Pursue curative actions for existing legislation to allow leasing and development of solid minerals under public domain.

III. Class III Management Areas (Low Resource Potential)

A. Definition

Those areas which, as a whole, have little or no potential for mineral production. Some minerals, however are known to be present in various amounts.

B. Objectives

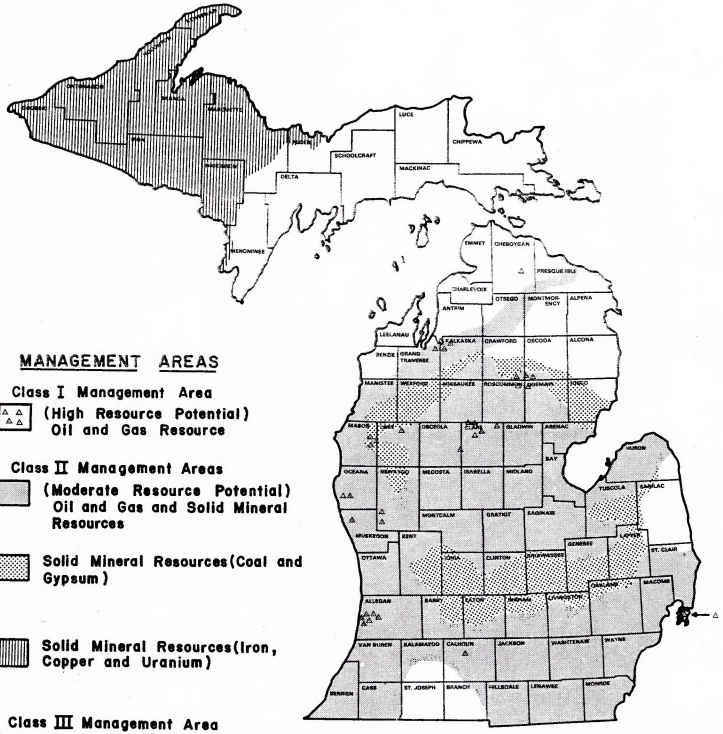
1. Determine Federal mineral ownership and its status (lease, non-leased or permitted).

2. Federal minerals may be available for disposal contingent upon a site-specific mineral inventory report to be prepared at the time of disposal.

3. No active leasing program will be initiated, although Federal oil and gas will be available for non-competitive leasing contingent upon standard environmental restrictions and procedural reviews.

4. Resolve mineral title conflicts in response to mineral leasing and permitting applications.

MAP A. MINERAL RESOURCE MANAGEMENT AREAS-MICHIGAN



MANAGEMENT AREAS

Class I Management Area
(High Resource Potential)
Oil and Gas Resource

Class II Management Areas
(Moderate Resource Potential)
Oil and Gas and Solid Mineral Resources

Solid Mineral Resources (Coal and Gypsum)

Solid Mineral Resources (Iron, Copper and Uranium)

Class III Management Area
(Low Resource Potential)
Solid Mineral Resources